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In response to the Office Action of 8/1/2006, applicant has carefully reviewed the Examiner's comments.

Applicant conducted a telephone conversation with primary examiner Mr. Stephan J Castellano on July 20, 2006 in which Mr. Castellano informed applicant of the restriction requirement of the invention as follows:

- I. Claims 1-7, drawn to a method of making a fuel tank assembly.
- II. Claims 8-11, drawn to a fuel tank assembly.

During the telephone conversation, the examiner required applicant to restrict the application to a single invention for prosecution on the merits which applicant provisionally elected with traverse Invention II for which claims 8-11 are readable thereon.

In accordance with the Examiner's written restriction requirement, applicant elects to prosecute Invention II for which claims 8-11, drawn to a fuel tank assembly, are readable thereon. Applicant respectfully traverses the rejection requirement. The Office action states that the inventions are distinct because the product can be made by another materially different process such as blow molding rather than induction welding. Applicant disagrees with the Office Actions reason for the restriction since blow molding is not an option if the subcomponent being inserted within the fuel tank is not capable of being formed by a blow molding process or has an internal cavity that is not open to the inside of the fuel tank as air cannot be forced into the component cavity to form the subcomponent. As a result, blow molding the subcomponent is not a viable option, and therefore, a materially different process has not been shown. Applicant requests claims 1-7 be re-joined and examined as a whole.

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The rejection of claims 8-11 under 35 U.S.C. 102(e) as being anticipated by Mueller is respectfully traversed.

Claim 8 recites a fuel tank assembly includes a fuel tank having a wall having a cavity, an inner surface, an outer surface, and an access opening extending through the wall and communicating with the cavity. A component is inductively welded to the inner surface.

Mueller describes a device for connecting components made of fusible plastic, namely pipes, to a fuel tank of a vehicle. The component that is to be fused to the fuel tank includes a retaining body 64 having a heating element 4 disposed on the component. The heating element 4 includes two electrical contact ends 44 and 46 which extend down the component to the holding element 16 of the handling device 70 where an electrical connection is made with the electrical contacts provided by the handling device 70 for spot welding. As a result, Mueller describes a self-contained power distribution system where power is provided by physical electrical connection from the handling device 70 to the contacts of the heating element formed on the component.

In contrast to the present invention, the component of Mueller is not attached to the inside of the fuel tank by inductive welding; rather the heating element receives direct electrical power via the electrical contacts of the handling device 70. As a result, Mueller fails to describe or suggest a fuel tank assembly having a component inductively welded to the inner surface. Mueller requires an electrical heater structure on the component to be attached that includes a pair of exposed ends for making direct electrical contact. Such an exposed heater circuit has many disadvantages since the exposed conductors can interact with substances later stored in the tank. Mueller does not describe nor teach limitations of claim 8, and therefore, does not anticipate claim 8. The rejection of claim 8 should be withdrawn.

Claim 9 depends from claim 8 and is therefore allowable.

Claim 10 recites the component includes a weld surface and an

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induction receiver fixed to the component. Mueller describes a self-contained power supply system where electrical energy is supplied directly to the heating element via direct electrical connection from the handling device. Mueller neither describes nor suggests an induction receiver for receiving electrical energy by induction. Therefore, claim 10 is allowable.

Claim 11 recites an induction receiver includes an induction element integrally molded into the component. Mueller neither describes nor teaches an induction element molded into the component nor does Mueller suggest providing power to any component by induction. Therefore, claim 11 is allowable.

In view of the foregoing amendment and remarks, all pending claims are in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

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